

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

HOSEA CHAMPINE,)
)
 Plaintiff,) Case No. 2:13-cv-604
)
 v.) Judge Nora Barry Fischer
) Magistrate Judge Lisa Pupo Lenihan
 JESSICA PURCELL,)
)
 Defendant.) ECF No. 8
)
)

MEMORANDUM ORDER

Plaintiff commenced this civil action by filing a Motion to Proceed *In Forma Pauperis* which was received by the Clerk of Court on April 29, 2013. The motion was granted and the Clerk then filed the Complaint on May 14, 2013. This case was referred to United States Magistrate Judge Lisa Pupo Lenihan for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. §636(b)(1), and Local Rules of Court 72.C and 72.D.

The Magistrate Judge's Report and Recommendation (ECF No. 8), filed on December 3, 2014, recommended that the Complaint (ECF No. 2) be dismissed without prejudice based upon Plaintiff's failure to prosecute. Service was made on Plaintiff at his address of record at the time, 210 Oliver Street, Duquesne, PA 15110, via certified mail, return receipt requested, First Class mail. Plaintiff was informed that in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1)(B) and (C), and Rule 72.D.2 of the Local Rules of Court, that he had fourteen (14) days to file any objections. On December 16, 2014, Plaintiff appeared in person in the chambers of the Magistrate

Judge and informed the Judge's deputy clerk that his address had changed and expressed his desire to continue prosecuting his case. He was advised to notify the Clerk's Office of his change of address and to file timely objections to the Report and Recommendation. Plaintiff did file a change of address notice with the Clerk's Office on December 16, 2014. However, to date, he has not filed any objections to the Report and Recommendation.

After review of the pleadings and documents in the case, together with the Report and Recommendation, the following Order is entered:

AND NOW, this 23rd day of December, 2014,

IT IS HEREBY ORDERED that Plaintiff's Complaint (ECF No. 2) is **DISMISSED WITHOUT PREJUDICE** for failure to prosecute.

IT IS FURTHER ORDERED that the Report and Recommendation (ECF No. 8) of Magistrate Judge Lenihan dated December 3, 2014, is adopted as the opinion of the Court.

The Clerk of Court is directed to mark this case closed.

BY THE COURT:

s/Nora Barry Fischer
NORA BARRY FISCHER
United States District Judge

cc: Hosea Champine
108 S. Sixth Street
Duquesne, PA 15110
Via First Class U.S. Mail &
Certified Mail/Return Receipt Requested